

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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HIGHMORE FINACNING CO. I, LLC,

Plaintiff,

No. 23-cv-9418

v.

EULER HERMES NORTH AMERICA
INSURANCE COMPANY, d/b/a ALLIANZ
TRADE,

Defendant.

**DEFENDANT EULER HERMES
NORTH AMERICA
COMPANY'S NOTICE OF
REMOVAL (DIVERSITY)
UNDER 28 U.S.C. § 1441(b)**

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PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant Euler Hermes North America Insurance Company, d/b/a Allianz Trade ("Allianz Trade"), by and through its attorneys Clyde & Co US LLP, files its Notice of Removal to this Court of an action pending against it in the Supreme Court of New York, County of New York. Removal is based on the following grounds:

1. On or about October 13, 2023, an action was commenced by Plaintiff Highmore Financing Co. I, LLC ("Highmore") in the Supreme Court of New York, County of New York by filing a complaint (the "Complaint").
2. This action is a civil action of which this Court has diversity jurisdiction under 28 U.S.C. § 1332(a)(2) and is one which may be removed to this court by Allianz Trade pursuant to the provisions of 28 U.S.C. §1441(b) in that it is a civil action between a citizen of a state against a citizen of a foreign state, and the matter in controversy exceeds the sum of \$75,000, exclusive of interests and costs.

3. Allianz Trade is informed and believes that Plaintiff was at the time of the original filing of Highmore's Complaint and remains today a Delaware limited liability company with its principal place of business located in New York, NY.

4. Allianz Trade, a non-New York citizen, was at the time of the filing of this action and remains today a citizen of the state of Maryland, having its principal place of business located at 800 Red Brook Blvd., Suite 400, Owings Mills, MD 21117-5190 and having been incorporated under the laws of the state of Maryland. Allianz Trade is not incorporated under the laws of Delaware, as Highmore incorrectly alleges at paragraph 6 of the Complaint.

5. As alleged in its Complaint, Highmore seeks monetary and other relief in an amount more than \$19,954,515.07.

6. Allianz Trade was served with Highmore's summons and received a copy of the Complaint, an exhibit attached thereto, a corporate disclosure statement, and requests for judicial intervention on October 20, 2023. A copy of the summons, complaint, an exhibit attached thereto, corporate disclosure statement, and requests for judicial intervention served upon Allianz Trade in the state-court action are attached hereto as "Exhibit A."

7. At the time of the filing of this notice, Allianz Trade is informed and believes that "Exhibit A" constitutes all process, pleadings, and orders served upon Allianz Trade in this action. Attached as "Exhibit B" is a current copy of the docket (which does not yet reflect the filing of the answer) for the action originally filed in state court.

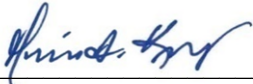
8. This Notice of Removal was filed within thirty days of Allianz Trade's notice of the complaint, and therefore, this notice has been timely filed pursuant to 28 U.S.C. § 1446(b).

WHEREFORE, Defendant Allianz Trade respectfully removes the Complaint currently pending in New York Supreme Court, County of New York to this Court and respectfully requests

that the United States District Court for the Southern District of New York assume complete jurisdiction over this action.

Dated: New York, New York
October 20, 2023

CLYDE & CO US LLP

By: 

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